

General Services Administration

541.401

though comparable discounts were not negotiated, and

(2) Award of a contract is otherwise in the best interest of the Government.

[62 FR 44523, Aug. 21, 1997]

538.271 MAS contract awards.

(a) MAS awards will be for commercial items as defined in FAR 2.101. Contracts will be negotiated as a discount from established catalog prices.

(b) Before awarding any MAS contract, the contracting officer will determine whether offered prices are fair and reasonable in accordance with FAR subparts 15.8 and 15.9 and 48 CFR 538.270.

[61 FR 6169, Feb. 16, 1996, as amended at 62 FR 44524, Aug. 21, 1997]

538.272 MAS price reductions.

(a) Prior to the award of a MAS contract, the contracting officer and the offeror shall reach an agreement as to the customer (or category of customers), price lists, and discounts which will serve as the basis of contract award. The award document shall expressly state the price/discount relationship between the Government and the identified commercial customer which is the basis of contract award. The Price Reductions clause is intended to maintain this price/discount relationship (and/or term and condition relationship) between the Government and the offeror's customer or category

of customers upon which the MAS contract was predicated for the contract period.

(b) During the term of the contract, any changes in discount/pricing practices by the contractor which result or will result in a less advantageous relationship between the Government and the customer or category of customers upon which the MAS contract discount/price was predicated, shall result in a price reduction to the Government to the extent necessary to reflect the original relationship.

[59 FR 52451, Oct. 18, 1994]

PART 539—MANAGEMENT, ACQUISITION, AND USE OF INFORMATION RESOURCES [RESERVED]

PART 540 [RESERVED]

PART 541—ACQUISITION OF UTILITY SERVICES

AUTHORITY: 40 U.S.C. 486(c).

Subpart 541.4—Administration

541.401 Monthly and annual review.

Unless other procedures are established, the contracting officer shall perform or cause to be performed the reviews required by FAR 41.401.

[60 FR 54956, Oct. 27, 1995]